



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/077,718
Filing Date: 02/15/2002
Applicant: Daniel Bone, et al.
Group Art Unit: 3724
Examiner: Clark Dexter
Title: CLAMPING MECHANISM
Attorney Docket: 0275S-000327/DVA

Director of The United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450

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TERMINAL DISCLAIMER

Dear Sir:

1. I, Michael J. Schmidt, attorney of record in the above identified application acting on behalf of Black & Decker Inc., owner of all right, title and interest in the above identified application, as well as owner of all right, title and interest in U.S. Patent No. 6,449,851, hereby disclaim and dedicate to the public, except as provided below, the terminal portion of the statutory term of any patent granted on the present application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of said U.S. Patent No. 6,449,851.

2. I further agree and acknowledge on behalf of Black & Decker Inc., that any patent granted on the present application shall be enforceable only for and during the period that said patent is commonly owned with said U.S. Patent No. 6,449,851. This

agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

3. I do not disclaim the terminal part of any patent granted on the above identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of Patent No. 6,449,851, as shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of common ownership as stated above.

Respectfully submitted,

Dated: March 8, 2004

By: 

Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MJS/pmg

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